

IN THE CLAIMS

Please amend claim 1 as follows:

1. (currently amended) A method for determining when a request for higher transmission rate should be granted to a mobile station that has access to a communication system comprising the steps of:

calculating a first indicator using a second indicator, for all active connections;

establishing a blocking threshold; ~~and~~

deciding whether to grant or deny the mobile station access to use the requested higher transmission rate based on a comparison of the first indicator relative to the established threshold; and

tracking the calculated indicator for a mobile station granted access to use the requested higher transmission rate.

2. (previously presented) The method of claim 1 wherein the first and second indicators contain current loading and interference values.

3. (previously presented) The method of claim 2 wherein the first and second indicators also contain changes in loading and interference values due to connections being dropped or added prior to burst start time.

4. (previously presented) The method of claim 1 wherein the deciding step comprises denying access at the requested higher transmission rate to the mobile station when the first indicator exceeds the blocking threshold value to avoid degradation of performance of the wireless communication system.

5. (original) The method of claim 3 wherein the deciding step grants the mobile station access to use a transmission rate that is lower than the requested rate when access at the requested rate is denied.

6. (previously presented) The method of claim 1 wherein the deciding step comprises granting access to the mobile station to use the requested higher transmission rate when the first indicator is less than or equal to the blocking threshold.

7. (previously presented) A method for determining when a request for higher transmission rate should be granted to a mobile station that has access to a communication system comprising:

- obtaining a first estimated performance indicator and a second estimated performance indicator for all active connections;

- establishing a blocking threshold; and

- deciding whether to grant or deny the mobile station access to use the requested higher transmission rate based on a comparison of the first and second indicators relative to the established blocking threshold, wherein the deciding step comprises denying access at the requested higher transmission rate to the mobile station when the first performance indicator exceeds the blocking threshold value to avoid degradation of performance of the wireless communication system, wherein

- the obtaining step comprises obtaining a projected receive signal strength indicator rise as the first estimated performance indicator and estimated loading as the second indicator, the projected receive signal strength indicator rise being a ratio of the

estimated receive signal strength indicator at the start time to one minus the projected change of loading for the mobile station requesting the new channel divided by one minus the estimated loading.

8. (original) The method of claim 1 wherein the establishing step comprises establishing a threshold defined by maximum blocking threshold wherein the maximum blocking threshold is set at a value which will prevent overloading of the communication system.

9. (original) The method of claim 7 wherein the obtaining step further comprises obtaining the projected receive signal strength indicator rise and the estimated loading, each for all active 3 connections.

10. (original) The method of claim 7 wherein the estimated loading is the sum of the current loading contributions from each connection which is used to obtain a value of the first indicator.

11. (original) The method of claim 10 wherein the projected loading is the sum of the estimated loading and the change of loading for each possible higher rate which is used to obtain a discrete value of the first indicator for each loading.

12. (original) The method of claim 10 wherein the deciding step grants the mobile station access to the highest possible rate which provides a first indicator value that is below the blocking threshold.

13. (original) The method of claim 8 wherein the maximum block threshold is constant for different estimate loading values.

14. (previously presented) The method of claim 8 wherein the maximum block threshold decreases as the loading increases.

15. (previously presented) The method of claim 8 wherein the maximum blocking threshold decreases in steps as the loading increases.

16. (previously amended) The method of claim 8 wherein the maximum blocking threshold uniformly as the loading increases.